

AMENDMENTS to the FIGURES

Please amend Figures 3A, 3B and 4C as shown on the attached sheets of drawings, and as explained in detail in the "Remarks" section, as follows:

In Fig. 3A, replace the word "RECEPTION" in block 308D with --RELATION--.

In Fig. 3B, replace the reference number "310" with --306A-- to designate the block labeled "PURCHASE HISTORY", and replace the reference number "306A" with --310-- to designate the block labeled "REWARD LEVEL".

In Fig. 4C, replace the word "AFFILIATER" in the fourth field of the table with --AFFILIATED--.

REMARKS

Claims **1, 2, 5 and 16** have been cancelled, and claims **3, 6, 7, 13, 14, 17, 22 and 23** have been amended. After entry of this Amendment, Claims **3, 4, 6-15, and 17-27** will be pending. Claims **3, 14, and 23** are the only independent claims.

In view of the remarks that follow, Applicants respectfully request entry of the above amendments to the claims and the Examiner's early re-examination and reconsideration. Applicants respectfully submit that the present claim amendments place the application in condition for allowance by amending the independent claims and by cancelling other claims, and/or at least place the claims in better form for consideration on Appeal. Accordingly, Applicants respectfully request entry of these amendments pursuant to 37 C.F.R. §1.116(b). (See also, MPEP §§714.12, 714.13).

A. THE DRAWING AMENDMENTS

During a routine check of the application, several typographical errors were discovered in Figs. 3A, 3B and 4C. In particular, the word "RECEPTION" in block 308D of Fig. 3A should have been --RELATION--. In addition, in Fig. 3B, the reference number "310" should have been --306A-- to designate the block labeled "PURCHASE HISTORY", and the reference number "306A" should have been --310-- to designate the block labeled "REWARD LEVEL". Lastly, in Fig. 4C, the word "AFFILIATER" in the fourth field of the table should have been --AFFILIATED--. Accordingly, amendments are presented above to correct these errors in Figs. 3A, 3B and 4C. Further, two copies of each of Figs. 3A, 3B and 4C are submitted herewith, which comprise a first clean copy of each figure and a second copy marked in red ink to show where the changes have been made.

Support for these changes can be found, for example, on page 10, line 17; page 10, line 1; page 11, line 3; and page 16, line 12 of the application. No new matter has been added.

We respectfully request entry of these amendments to Figs. 3A, 3B and 4C at least because they place the application in better form for appeal.

B. THE DOUBLE PATENTING REJECTION

Claims **3, 4, 7-15 and 17-27** have been rejected on the grounds of nonstatutory obviousness-type double patenting over claims 1-3, 16, 19, 23 and 29 of U.S. Patent No. 6,327,573 to Walker et al. (hereinafter "Walker"). Applicants do not necessarily agree with this rejection, but enclosed herewith is a Terminal Disclaimer to expedite the prosecution of the present application. Consequently, applicants request withdrawal of this rejection.

C. THE 35 U.S.C §112 REJECTIONS

Claims **3-27** were rejected as being indefinite. Consequently, independent claims **3, 14 and 23** have been amended to more distinctly claim the invention. In particular, claim **3**, for example, has been amended in line 5 to delete the first instance of the phrase "at least one of", and the words "are physically" have been added in line 6 to make it clear that the method includes determining that the primary account holder *and* at least one of the sub-account holders *are physically present*. Similar amendments have been made to independent claims **14 and 23**. Support for such changes can be found, for example, on page 15, line 28 to page 16, line 4. No new matter has been added.

In view of the amendments to independent claims **3, 14 and 23**, claims **5 and 16** have been cancelled. In addition, cosmetic changes have been made to dependent claims **6, 7, 13, 17 and 22**. In particular, claim **6** has been amended to depend on claim **3** instead of the cancelled claim **5**, and to add verbiage for purposes of proper antecedent basis. Similarly, claims **7 and 13** have been amended to conform to the wording of claim **3**. Claims **17 and 22** have likewise been amended to conform to the wording of claim **14**.

These amendments were not submitted earlier as these claims were newly added in our previous response, and Applicants believed that the wording was clear. However, the Examiner's explanation in paragraphs 3 and 4 on pages 3-6 of the final Office Action mailed on April 4, 2007 (hereinafter, the "Final Action") made it clear that changes should be made. Thus, we respectfully request entry of these amendments at least because they place the claims in better form for consideration on appeal. We also No new matter has been added.

In view of the above amendments and remarks, Applicants respectfully submit that claims **3, 4, 6-15, and 17-27** are definite, and request withdrawal of the 35 U.S.C. §112 rejections.

D. THE 35 U.S.C. §102(B) REJECTIONS

Claims **3-6, 11, 12, 14-16, 20, 21, 23, 24 and 26** have been rejected for allegedly being anticipated in view of U.S. Patent No. 5,537,314 to Kanter.

The Examiner stated that the present claims would overcome the cited prior art and thus be allowable if rewritten: “to provide the limitation that both the primary account holder and the sub account holder be physically present during the transaction”. (See paragraph 7, on page 8 of the Final Action). Consequently, each of independent claims **3, 14 and 23** has been amended, as explained above, to make it clear that the primary account holder *and* at least one of the sub-account holders *are physically present*. Accordingly, applicants submit that these claims are now in form for allowance. Furthermore, since claims **4, 6-13, 15, 17-22 and 24-27** each directly or indirectly depends on one of the independent claims **3, 14 and 23**, we respectfully submit that these dependent claims should be allowable for at least the same reasons.

E. AUTHORIZATION TO CHARGE APPROPRIATE FEES

Applicants do not believe that any fees are due, but if a fee should accrue or otherwise be necessary to continue prosecution of the present application, please charge any such required fee to our Deposit Account No. 50-0271. In addition, please credit any overpayment to Deposit Account No. 50-0271.

F. CONCLUSION

For the foregoing reasons it is submitted that all of claims **3, 4, 6-15, and 17-27** are in condition for allowance, and the Examiner's early re-examination and reconsideration are respectfully requested.

If there are any questions regarding the present application, or if the Examiner has any suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact Stephan Filipek at telephone number (203) 461-7252 or via electronic mail at sfilipek@walkerdigital.com.

Respectfully submitted,

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Date

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